

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

FILED  
ASHEVILLE, N.C.

FEB 28 2011

U.S. DISTRICT COURT  
W. DIST. OF N.C.

1:10cr15-RLV

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER KLOSEK,

Defendant.

**THIRD CONSENT ORDER AND  
JUDGMENT OF FORFEITURE**

BASED UPON the defendant's plea of guilty and the outstanding money judgment set forth in the Second Consent Order and Judgment of Forfeiture, and finding that there is a substantial nexus between the property listed below and the offense to which the defendant has pled guilty and that the defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 981 and 982, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c):

**Two (2) sets of sterling silver silverware;**

**Two (2) gold coins;**

**Fifty-five (55) silver coins and bars; and**

**Miscellaneous other silver coins and precious metals turned over by Defendant to the Federal Bureau of Investigation.**

2. The United States Marshal, Federal Bureau of Investigation, and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above specifically identified property;

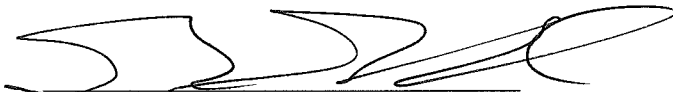
3. The United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the specifically identified property, and shall publish notice of this forfeiture as required by law;

4. Any person, other than the defendant, asserting any legal interest in the specifically identified property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;

5. Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law;

The parties stipulate and agree that the aforementioned assets constitute property derived from or traceable to proceeds of defendant's crime(s) herein and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982, 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant.

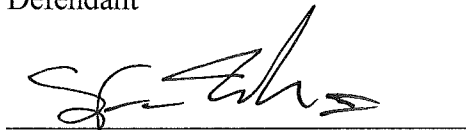
ANNE M. TOMPKINS  
UNITED STATES ATTORNEY



Benjamin Bain-Creed  
Assistant United States Attorney



Alexander Klosek  
Defendant



S. Frederick Winiker, III, Esq.  
Attorney for Defendant

Signed this the 24<sup>th</sup> day of February, 2011.



UNITED STATES District JUDGE